

In reply, applicants respectfully point out that the combined Substitute Reissue Declaration, Power of Attorney and Assent of Assignee which was filed by mailing certificate dated October 18, 2001 does contain on page 6 an Assent of Assignee duly signed by Shigeru Inagaki, General Manager of the Legal and Intellectual Property Division of the assignee, who is duly empowered to sign on behalf of the assignee. Also submitted at that time was a separate Declaration of Shigeru Inagaki attesting to his authority to sign the Assent of Assignee. For completeness of the record, a copy of the previously filed Substitute Reissue Declaration, Power of Attorney and Assent of Assignee (six pages) together with the Declaration of Shigeru Inagaki (one page) is attached hereto and from which the signature of the Assent of Assignee can be found page 6.

On page 4 of the substitute reissue declaration, immediately following paragraph 9, is an unnumbered paragraph in which the applicants assent to the reissue application, which states that Seiko Instruments Inc. is the assignee, and which states that the assignee offers to surrender the Letters Patent. Attached as page 6 is the separate Assent of Assignee signed by Shigeru Inagaki on behalf of Seiko Instruments Inc., the assignee.

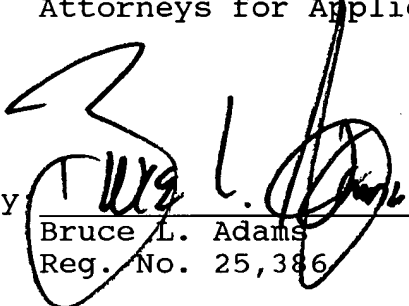
When issuing the last Office Action, it appears that the Examiner overlooked the separate Assent of Assignee appearing on page 6 and considered only the statement of the inventors on page 4 that the assignee assents to the reissue application. Thus the required assent of assignee is of record, and applicants request withdrawal of the objection to the reissue declaration and withdrawal of the rejection of claims 1-17 as being based upon a defective reissue declaration.

In view of the foregoing, prompt and favorable reconsideration and issuance of the reissue patent are respectfully requested.

Respectfully submitted,

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MAILING CERTIFICATE

I hereby certify that this correspondence is being deposited with the United States Postal Service as first-class mail in an envelope addressed to: MS NON-FEE AMENDMENT, COMMISSIONER FOR PATENTS, P.O. Box 1450, Alexandria, VA 22313-1450, on the date indicated below.

Debra Buonincontri

Name

Debra Buonincontri

Signature

May 24, 2004

Date